

AMENDED IN SENATE MAY 18, 2005

AMENDED IN SENATE MAY 5, 2005

AMENDED IN SENATE MAY 2, 2005

AMENDED IN SENATE APRIL 18, 2005

## **SENATE BILL**

**No. 622**

### **Introduced by Senator Speier**

February 22, 2005

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An act to add Chapter 9.8 (commencing with Section 6270) to Title 7 of Part 3 of the Penal Code, relating to correctional facilities.

#### LEGISLATIVE COUNSEL'S DIGEST

SB 622, as amended, Speier. Correctional facilities: educational programs.

Existing law prescribes the authority and duties of the Youth and Adult Correctional Agency with regard to state correctional facilities and prisoners ~~or wards~~.

This bill would require the Youth and Adult Correctional Agency to create an educational program within each of its correctional facilities that would provide appropriate educational services for every inmate ~~or ward, consistent with specified provisions~~. The bill would allow each educational program to consist of specified components, and would require the agency to annually report its findings to the Legislature in that regard. The bill would require funding of the program through the annual budget process, and not from moneys appropriated by the state for school districts and community college districts, as specified. ~~The bill would further require the Secretary of the Youth and Adult Correctional Agency to implement the program~~

~~in conformity with any court order or consent decree entered into on or before March 1, 2005, as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 9.8 (commencing with Section 6270) is  
2 added to Title 7 of Part 3 of the Penal Code, to read:

3  
4 CHAPTER 9.8. EDUCATIONAL PROGRAMS  
5

6 6270. Within 180 days after the effective date of the act  
7 adding this chapter, the Youth and Adult Correctional Agency  
8 shall implement a continuous educational program at every state  
9 or privately operated Department of Corrections facility ~~and~~  
10 ~~Department of the Youth Authority facility.~~

11 6271. Each educational program shall provide appropriate  
12 educational services ~~based on individual needs consistent with~~  
13 ~~Article 6 (commencing with Section 1120) of Chapter 3 of Part 1~~  
14 ~~of Division 2 of the Welfare and Institutions Code, and~~  
15 ~~applicable provisions for compulsory education services for~~  
16 ~~every inmate or ward.~~ The Department of Corrections ~~and the~~  
17 ~~Department of the Youth Authority~~ shall establish and implement  
18 an effective intake assessment protocol and progress assessment  
19 procedures.

20 6272. The educational program may include, but not be  
21 limited to, the following components: identification and  
22 assessment; placement and intervention; orientation; goal  
23 oriented progress reports; outcome measures; parental and family  
24 involvement; vocational certification; advisory committees  
25 utilizing academicians from universities; certified instructors;  
26 health and safety procedures; sensitivity to racial, ethnic, and  
27 cultural balances; accountability and audits; evaluation  
28 procedures; peer counseling; anger management skills; spiritual  
29 and physical health skills; violence prevention skills; community  
30 restoration; victim awareness; employment skills, including  
31 mock interviews; parenting skills; drivers education; critical  
32 thinking; organizational skills; study habit skills; tutoring;  
33 mentoring; physical education; nutrition; dress code; housing

1 skills; resume writing; computer literacy; telephone etiquette;  
2 graduation ceremonies; visual and performing arts or foreign  
3 language; disciplinary procedures; personal hygiene; culinary;  
4 banking; collaboration with parole units; educational counseling;  
5 and an alternative plan for the educational programs to operate  
6 during lockdowns.

7 6273. If a particular facility will be unable to meet the  
8 180-day deadline specified in Section 6270, within 30 days after  
9 the effective date of the act adding this chapter, the Youth and  
10 Adult Correctional Agency shall submit to the Governor and the  
11 Legislature in writing the reason for which the facility will be  
12 unable meet that deadline.

13 6274. The Youth and Adult Correctional Agency shall  
14 annually report to the Legislature all findings, outcomes, and  
15 statistics collected with regard to the educational program. The  
16 Youth and Adult Correctional Agency shall also make this  
17 information available to the public.

18 6275. (a) The Youth and Adult Correctional Agency shall  
19 receive funding for the educational programs established  
20 pursuant to this chapter at a per pupil in attendance rate  
21 equivalent to the statewide average adult education revenue limit  
22 per unit of average daily attendance determined pursuant to  
23 Section 52616.16 of the Education Code.

24 (b) For purposes of this section, one unit of pupil attendance  
25 shall be the full-time equivalent of one pupil attending 540 class  
26 hours of instruction.

27 (c) Funding shall ~~not interfere with any other funding sources;~~  
28 ~~shall be provided through the annual budget process; and shall~~  
29 ~~not be considered to be moneys applied by the state for allocation~~  
30 ~~to school districts or community college districts, as used in~~  
31 ~~subdivision (b) of Section 8 of Article XVI of the California~~  
32 ~~Constitution.~~

33 ~~6276. The Secretary of the Youth and Adult Correctional~~  
34 ~~Agency shall implement this chapter in conformity with any~~  
35 ~~court order or consent decree entered into on or before March 1,~~  
36 ~~2005, that concerns the educational program of the former~~  
37 ~~Department of the Youth Authority.~~